

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 98-510-C - ORDER NO. 1999-828  
NOVEMBER 22, 1999

IN RE: Application of Adelphia Business Solutions	)	ORDER GRANTING ✓ 11/22
of South Carolina, Inc. (formerly known as	)	ALTERNATIVE
Hyperion Communications of South Carolina,	)	REGULATION OF
Inc. for a Certificate of Public Convenience	)	INTEREXCHANGE
and Necessity to Provide Resold and	)	TELEPHONE SERVICES
Facilities-based Local Exchange and	)	AND FLEXIBLE
Interexchange Telecommunications Services	)	REGULATION OF
within the State of South Carolina.	)	LOCAL EXCHANGE
	)	TELEPHONE SERVICES

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Adelphia Business Solutions of South Carolina, Inc. ("Adelphia") (formerly known as Hyperion Communications of South Carolina, Inc.) for approval of alternative regulation of its interexchange telecommunications services comparable to that afforded to AT&T of the Southern States, Inc. by Order No. 95-1734 and Order No. 96-55 in Docket No. 95-661-C and for approval of flexible regulation of its local exchange telecommunications services comparable to that granted to NewSouth Communications by Order No. 98-165 in Docket No. 97-467-C.

With regard to its local exchange services, Adelphia requests flexible regulation in accordance with procedures authorized for NewSouth Communications in Order No. 98-165 in Docket No. 97-467-C. Specifically, flexible regulation of local services, as

approved for NewSouth Communications in Order No. 98-165, provides that a competitive local service provider may implement for its competitive intrastate local exchange services a rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels that will have been previously approved by the Commission. Further, local exchange service tariff filings will be presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing, in which case the tariff filing would be suspended pending further Order of the Commission. Further, any such tariff filings will be subject to the same monitoring process as similarly situated competitive local exchange carriers.

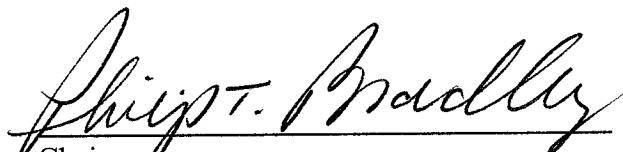
With regard to its interexchange services, Adelphia requests that its interexchange business service offerings, consumer card services and operator service tariffs not be required to state maximum rate levels and that such tariff filings be presumed valid upon filing with the understanding that the Commission has the right within seven (7) days to establish an investigation of the tariff filing. This plan is consistent with the policy and procedures set out and described in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C.

A Notice of Filing describing Adelphia's request for alternative regulation of its interexchange services and for flexible regulation of its local service offerings was published in the Commission's subscription service. No Petitions to Intervene, Protests, or comments were received concerning Adelphia's request. As the Commission has received no comments regarding Adelphia's request, we will therefore dispose of the matter summarily.

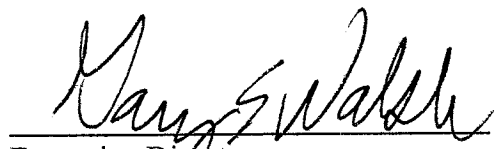
Clearly, this Commission has approved similar plans of flexible regulation and alternative regulation for other local exchange and interexchange companies. We hold that Adelphia is entitled to be regulated by the same relaxed regulatory methodologies previously approved for other competitive providers. These relaxed regulatory methodologies have been useful and successful in the past with other providers, and we hold that the request of Adelphia for flexible regulation of its local exchange telecommunications services and for alternative regulation of its interexchange services should be granted.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)